

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LEROY STRAYHORN,

Plaintiff,

v.

Case No. 11-15216
Honorable Patrick J. Duggan

PATRICIA CARUSO, KAREN SUE
MALICOAT, R.N., DR. GEORGE
PRAMSTALLER, DR. ZAKIUDDIN A.
KHAN, CORRECTIONAL MEDICAL
SERVICES, PRISON HEALTH SERVICES,
INC., JOHN DOE, JANE DOE, and
RUSSELL MALICOAT,

Defendants.

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**OPINION AND ORDER GRANTING DEFENDANTS PATRICIA CARUSO'S
AND DR. GEORGE PRAMSTALLER'S MOTION FOR SUMMARY JUDGMENT**

On November 28, 2011, Plaintiff commenced this civil rights action pursuant to 42 U.S.C. § 1983, alleging that Defendants were deliberately indifferent to his serious medical needs in violation of his Eighth Amendment rights. On February 21, 2012, Defendants Patricia Caruso (“Ms. Caruso”) and Dr. George Pramstaller (“Dr. Pramstaller”) filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. This matter has been referred for all pretrial matters to Magistrate Judge R. Steven Whalen.

On August 14, 2012, Magistrate Judge Whalen issued a Report and Recommendation (R&R) in which he recommends that this Court grant Ms. Caruso’s and

Dr. Pramstaller's motion for summary judgment. (Doc. 54.) Magistrate Judge Whalen concludes that Plaintiff has not alleged facts to establish the personal involvement of these defendants in the alleged constitutional violation. (*Id.* at 7-9.) At the conclusion of his R&R, Magistrate Judge Whalen informs the parties that they must file any objections to the R&R within fourteen days. (*Id.* at 9-10.) He further advises that the "[f]ailure to file specific objections constitutes a waiver of any further right of appeal." (*Id.*, citations omitted). Neither party filed objections to the R&R.

This Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Whalen.

Accordingly,

IT IS ORDERED, that Defendants Patricia Caruso's and Dr. George Pramstaller's motion for summary judgment is **GRANTED** and Plaintiff's claims against them are **DISMISSED WITH PREJUDICE** and they are dismissed as defendants to this action.

Date: September 17, 2012

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

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Magistrate Judge R. Steven Whalen